

REMARKS:

In accordance with the restriction requirement, the applicant has canceled the constructively non-elected claims 27-51.

The applicant has noted the Examiner's comment that the original patent, or a statement as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. The applicant has enclosed the original patent herewith.

Claims 1-26 are rejected under 35 USC 251 as being based on a defective reissue declaration because the originally filed reissue declaration failed to provide the inventor's residence address.

The applicant respectfully notes that 37 CFR 1.63(c)(1) requires a residence address only when such address is different from the mailing address. Since the applicant's mailing address and residence address were identical at the time the reissue declaration was executed, it is believed that the rejection of claims 1-26 under 35 USC 251 should be withdrawn.

Claims 20-22 and 24 stand rejected under 35 USC 102(b) as being anticipated by either Makris (U.S. Patent No. 5,713,734) or Nishida (U.S. Patent No. 3,881,862).

The applicant has canceled claims 20-22.

Claim 23, which is not rejected on the prior art, has been rewritten to be independent and claims 24-26 have been amended to depend from claim 23.

The status of the claims is as follows:

Claims 1-19 (Pending).

Claims 20-22 (Canceled).

Claims 23-26 (Pending).

Claims 27-51 (Canceled).

The changes made to the claims are supported by the disclosure of the patent. Thus, aside from changes in dependency, the only change made to the claims is the incorporation of claims 20-22 into claim 23. Support in the disclosure of the patent for the subject matter of claims 20-23 can be found in applicant's paper dated 02 November 2001.

Since each pending claim is either not rejected on the prior art or depends from a claim which is not rejected on the prior art, it is believed that all pending claims are allowable over the prior art.

In view of the foregoing, reconsideration of the rejections on the prior art is respectfully solicited.

Please charge any cost associated with this response to our Deposit Account No. 17-0055.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'A. Durando', written in black ink.

Antonio R. Durando  
Reg. No. 28,409  
(520) 770-8701 phone  
(520) 770-2234 fax